

Notice of Agency Rule-making Proposal

AGENCY: Department of Health and Human Services, Maine Center for Disease Control and Prevention

CHAPTER NUMBER AND TITLE: 10-144 CMR Ch. 258- Control of Notifiable Diseases and Conditions Rule

PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*):

BRIEF SUMMARY: This routine technical rulemaking proposes to permanently establish the changes implemented on a temporary basis by emergency rule requiring designated health care facilities to report information related to emergency preparedness and responsiveness (i.e. the number and type of available beds, medical supply inventory, etc.) and clarifying the Department's authority to directly access provider records through the state health information exchange described at 22 MRS §1711-C(18). Further amendments to this rule propose to: 1) add five additional disease conditions; 2) modify the existing notification for two disease conditions; 3) retire one disease condition from the list; 4) update the human immunodeficiency virus (HIV) testing terminology; 5) clarify laboratories' electronic reporting requirements; 6) clarify temporary reporting requirements when the disease or condition can cause serious morbidity or mortality and the report of the disease or condition is necessary to monitor, prevent, or control the disease or condition to protect public health; and 7) clarify the Department's authority to take enforcement action for noncompliance, including referral to the Office of the Attorney General to seek injunctive relief and assess civil fines. Proposed changes also revise the definition section and rule construction; correct grammatical errors; and include other minor technical changes to improve readability and consistency with agency standards.

Date, time and location of PUBLIC HEARING (*if any*): Not scheduled

COMMENT DEADLINE: Friday, October 9, 2020

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CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (*if different*):

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (*if any*): None anticipated.

STATUTORY AUTHORITY FOR THIS RULE: 5 MRS §19203, and 22 MRS §§ 42(1) and 801-835

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (*if different*):

AGENCY WEBSITE: <http://www.maine.gov/dhhs/mecdc/rules/>

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: tera.pare@maine.gov